

CITY OF MENASHA
Plan Commission
Council Chambers, City Hall – 140 Main Street
May 6, 2014
MINUTES

A. CALL TO ORDER

The meeting was called to order at 3:30 PM by Mayor Merkes.

B. ROLL CALL/EXCUSED ABSENCES

PLAN COMMISSION MEMBERS PRESENT: Mayor Merkes, Ald. Zelinski (Alternate for Ald. Benner, DPW Radtke and Commissioners Sturm, Schmidt and DeCoster.

PLAN COMMISSION MEMBERS EXCUSED: Commissioner Cruickshank, Ald. Benner.

PLAN COMMISSION MEMBERS ABSENT: None.

OTHERS PRESENT: CDD Keil, PP Homan, Brian Moore of Menasha Utilities, Dennis Jochman- Bechard Group, Mark Nysted - Keller Structures , Ald. James Taylor, Mike Maas, Gary F. Bath, Barb Bath, Ellen Maxymek and Tom Maxymek

3:30 PM – Public Hearing Regarding the Special Use Permit Application for 205 Milwaukee Street

Mayor Merkes opened the public hearing at 3:30 PM.

No one spoke.

The hearing was closed at 3:31 PM.

3:32 PM – Proposed amendments to Title 13 of the Menasha Code of Ordinances pertaining to Shoreland Use and Development; Menasha Ordinance 13-1-13

Mayor Merkes opened the informal public hearing at 3:32 PM.

No one Spoke.

The hearing was closed at 3:33 PM

C. MINUTES TO APPROVE

1. **Minutes of the March 18, 2014 Plan Commission Meeting**

Motion by Comm. Sturm, seconded by Ald. Zelinski to approve the March 10, 2014 Plan Commission meeting minutes. The motion carried.

D. PUBLIC COMMENT ON ANY ITEM OF CONCERN ON THIS AGENDA

1. No one spoke.

E. DISCUSSION

1. **Requirements for Garages for Newly Constructed Dwelling Units**

CDD Keil reviewed the provisions of the proposed ordinance which would require garages to be built in conjunction with the construction of new dwelling units. Commissioners discussed:

- Conducting an inventory of non-conforming residential lots.
- Criteria for scaling the size of garage to the size of a lot.
- The impact of garage requirements on housing affordability.

Staff is to prepare an inventory of non-conforming residential lots and to prepare options for adjusting the garage size requirements based on the size/configuration of lots for the next Plan Commission meeting.

F. ACTION ITEMS

1. **Special Use Permit – 205 Milwaukee Street – Third Street Market**

PP Homan presented an overview of the proposed building renovation and site improvements that are planned for the proposed grocery store. Mark Nysted from Keller Structures reviewed the building materials and colors, parking and loading considerations, site lighting and landscaping. Commissioners discussed:

- The extent of the corbelling and EFIS banding around the top of the structure.
- Signage placement.
- Site drainage.
- Transformer location.
- Size, placement and screening of dumpsters and exterior chilling units.
- Landscaping and transitional areas.

Motion by Ald. Zelinski, seconded by Comm. DeCoster to recommend approval of the Special Use Permit for 205 Milwaukee Street with the following conditions:

1. Final landscaping plan to include the following:
 - Additional landscaping west of the parking lot to properly screen the parking areas per 13-1-12(g)(5)(a)
 - 1 additional canopy tree and modification of understory planting, such that they are between 25 and 75% percent evergreens, in northern perimeter area planting, per 13-1-12(4)
 - Area extending north from dumpster enclosure to driveway opening on Third St. to be landscaped and protected by curbing.
2. Final monument sign location to be determined through sign permitting process, to include determination of vision control area by DPW.
3. All mechanical equipment & dumpster enclosure to be fully enclosed per 13-1-12(f)(5-6) and 13-1-12(e)(5). Final detail of all dumpster and mechanical equipment enclosures to be included on detail sheet.
4. Cross access easement to be drafted and recorded between 205 Milwaukee St and 405 Third St.
5. Final lighting plan, to include relocating lighting pole to not impede parking access; final height of light poles not to exceed building height, as per 13-1-12(g)
6. Final plans containing all above mentioned conditions to be submitted to and approved by Community Development staff.

The motion carried.

2. **Proposed Amendments to Title 13 of the Menasha Code of Ordinances pertaining to Shoreland Use and Development; Menasha Ordinance 13-1-13**

CDD Keil reported that the proposed amendments were necessitated by statutory amendments to shoreland zoning attributable to Wisconsin Act 80. Significant changes in the proposed ordinance are the reduction in the required shoreland setback from 75 feet to 50 feet for portions of the city that were annexed after May 7, 1982, and the establishment of requirements for maintenance of shoreland vegetation along the shoreline and extending 35 feet inland from the ordinary high water mark. Commissioners discussed:

- The applicability of the maintenance of shoreland vegetation in existing developed areas and the enforcement of those requirements.
- The impact the reduction of shoreland setbacks would have on development.
- The applicability of the requirements to areas that were in the city prior to May 8, 1982.

Motion by DPW Radtke, seconded by Comm. Schmidt to recommend approval of the proposed amendments to Title 13 of the Menasha Code of Ordinances pertaining to shoreland use and development. The motion carried.

3. **Re-plat of Ponds of Menasha**

CDD Keil stated that the replat of the lots adjoining Outlot 2 of CSM 3277 is proposed as a means for the Redevelopment Authority of the City of Menasha to divest itself of property that serves no interest of the RDA. He went on to review the history and current status of the pond that is located in the outlot. The outlot is owned by RDA and is abutted by nine lots in the Ponds of Menasha plat and two lots in the Lake Park Villas plat. Options that have been explored include creating a separate HOA comprised of abutting lots to manage the pond, transferring the outlot to the Lake Park Villas Homeowners Association to manage, dividing the

outlot among the adjoining lots and transferring ownership to the lot owners either with the pond intact or filling the pond in. The owners of the Ponds of Menasha plat are opposed to creating a separate HOA that would impact the lots in that plat.

Residents of the Lake Park Villas plat residing in proximity to the pond expressed a strong desire to keep the pond more or less as-is, and cited its aesthetic and wildlife values. They also stated that they paid a premium price for their lots due to proximity to the ponds and that their property values would be adversely impacted if the pond is filled in.

Plan Commissioners were supportive of retaining the pond with the consensus being that the homeowners should work with the RDA and the owners of the Ponds of Menasha plat to come to an acceptable solution.

H. ADJOURNMENT

Motion by Comm. Decoster, seconded by DPW Radtke to adjourn at 5:35 PM. The motion carried.

Minutes respectfully submitted by CDD Keil.